

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JANE DOE,

Plaintiff,

24-cv-1043 (JGK)

- against -

ORDER

RUSSELL WENDELL SIMMONS,

Defendant.

JOHN G. KOELTL, District Judge:

In an effort to facilitate this action, the Court authorized limited and expedited discovery in connection with the defendant's contention in the defendant's motion for judgment on the pleadings concerning the defendant's citizenship and a 1997 Agreement that the defendant contended contained a release covering the current litigation. The parties have engaged in some discovery but have disputes.

The discovery was intended to facilitate the decision on the current motion. The parties are reminded that, to the extent the motion for judgment on the pleadings cannot be decided, the motion will be denied.

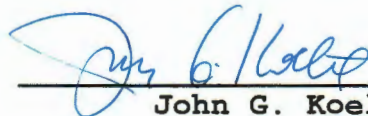
Having reviewed the parties' submission, it is apparent that the plaintiff's interrogatories and requests for documents are overbroad, burdensome, and go far beyond the limited discovery authorized. Therefore, those requests are stricken at this time. At the same time, the way in which expedited discovery can be accomplished is through a two-hour deposition

of the plaintiff limited to his citizenship and the validity of the alleged 1997 Agreement on which he relies in his motion (conducted remotely), and a one-hour deposition of the plaintiff limited to the validity of the alleged 1997 agreement (conducted remotely). If further disagreements arise over this limited discovery, the Court will refer the conduct of the discovery to the Magistrate Judge.

The Court will hold a telephone conference with the parties on **October 3, 2024**, at **12:00 p.m.** Dial-in: 888-363-4749, with access code 8140049.

SO ORDERED.

**Dated: New York, New York
September 10, 2024**



John G. Koeltl
United States District Judge